PUGH UNDER DIFFICULTIES.

espendence of The N. Y. Tribune. WASHINGTON, Dec. 14, 1868. The legal gentlemen of the Sepate have been largely engaged for a week in discussing the question of the constitutionality of the restrictive classes of the Missouri Compromise. The President seemed to say in his Message (or Caleb Cushing for him) that the Supreme Court had decided that that clause was unconstitutional. But it was soon found that a cursory perusal failed to give the true construction of the President's allegation. A signple-hearted person, not on the watch at the moment for a cheat, would misread the document, as its author intended, and as people will do and have

done all over the country. Mr. Trumbull in his argument e tel a case in 1 Peters, 546, to show that Judge Marchall had deeided that Congress had, under the Constitution, full legislative power over the Territories. It has been the effort of gentlemen on the other side to do away with the force of that decision. Mr. Cass labored with great industry on this point, but his efforts were unavailing evidently in his own eyes, for he concluded his examination of the decision by declaring that Judge Marshall was very stupid all the way through it. So far as I am aware, everybody who heard him came to the conclusion that there was stup dity somewhere, either in the Judge or commentator. And I am not aware that Juige Marshail's reputation has been very seriously affected by the assault.

But it was left to the ingenuity of Mr. Pugh to elaborate the case and try to overturn Mr. Trumbull's position. This he attempted in his long argument, which is published in The Globe of Thursday. The effort there stands in black and white. for the ridicule or admiration of all legal gentlemen and the rest of mankind. It is not worth white for me to say which, since the comments might be assumed to be prejudices. I wish, however, to extract the argument of Mr. Pugh on the point in question, which I take from the report of the speech referred to:

"The assertion of the Senator from Illinois was, that the Court decided in that case that in exercising jurisdiction over the Territories, Congress employed all the powers of the Federal and of a State Government. That is not the language of the Court intered any expression in relation to this subject. What was the case? It is easily stated. A vessel had been seized as a wreck. The case was then brought before, I think, a Syndic Court, with five jures, according to the Spanish law. They held an in quest on the vessel, and they condemned har as deceind, and erdered her to be sold, and the proceeds puid to the salvers. The master of the vessel, when he left her on the high seas, had abandoned her to the uniterwriters, to wit, the American Insurance Company; and writers, to wit, the American Iosurance Company; as these underwriters brought their action of trav these underwriters brought their action of triver against the purchaser at that sale, ciaiming that trere was to such legal authority, that due synthe Court was a mere audity; that it had no admiralty powers to sit in judgment on a case of wreck; and that the whole judicial proceeding was void.

"The question came to the Supreme Court for determination. Mark you, Sir, it was a question of admiralty jurisdiction. If the Syndie Court had jurisdiction

rally jurisciction. If the Syndic Court had jurisdiction in admirally under the Constitution, that was an end of the underwriters' case, because that judgment in admithe underwriters case, because that indignets in armstalty being, as we say, a judgment in rem, exinguished the right of the underwriter's as well as of the owner. The Court spoke of it as a case of admiralty, Targument made was, that the admiralty jurisdiction of the United States could only be exercised by Courts the Judges of which were appointed by the President and confirmed by the Senate. It was admitted that the jurisdiction of the United States in acmitted that the jurisdiction of the United States in admiralty was not only unlimited but exclusive, and, in fact, that has since been decided in so many words. But the, proposition was, that the Judges of the Syndie Court had never been appointed by the President and confirmed by the Senste. What was the answer of the Supreme Court? The admiralty jurisdiction of the United States can be exercised within the States only by Courts whose Judges are constituted as you say; but when you come to the Territories, Congress, in the exercise of its general authority to establish and promote a Territorial organization can confor

yea say; but when you come to the Territories, Congress, in the exercise of its general authority to establish and promote a Territorial organization can conforthis general against all purisdetion, which is exclusive in the United States, upon any Court it may see fit to adopt. Now let us ree whether that is not what the Courts say. Judge Marshall says:

"It has been contended that by the Constitution the judicial power of the United States extends to all cases of admiralty and marritime judicial joint and that the whole of this judicial joint must be vested in the Supreme Court, and in such illustrate of Courts as Congress shall from time to time ordain and "establish." Hence it has been argued that Congress cannot vest admirally jurisdiction in Courts created by the Territorial Legis since. "That was the argument. What was the answer!

"We have only to pursue this subject one step further to perceive that this provision of the Constitution does not apply to it'—

the prevision defining the qualification of Courts.

"The next sentence declares that "the Judges, both of the
"supreme and inferior courts, shall hold their offices during
good behavior." The Judges of the Superior Courts of Flor-bla hold their offices for four years. These courts, then, are not
constitutional courts, in which the judicial power conferred by
the Constitution on the General Government can be deposited.
They are incapable of receiving it. They are legislative courts,
created in virtue of the general right of sovereignty which extate in the Government, or in virtue of that clause which enable: resided in virtue of the general right of sovereignty which exists in the Government, or in virtue of that clause which cashle congress to make all needful rules and regulations respecting the territory belonging to the United States. The jurisdiction with which they are invested is not a part of that judicial power which is defined in the third article of the Constitution, but is conferred by Congress, in the execution of those general powers which that body possesses over the Territories of the United States. Although admiralty jurisdiction can be exercised in the States in those courts only which are established in pursuance of the third article of the Constitution, the same limitation does not extend to the Territories. In legislating for them, Congress exercises the combined power of the General and of a State Government.

"Not that Congress exercises all the powers of a State and the General Government; but that on the subject of admiralty jurisdiction—a jurisdiction exclu-

State and the General Government; but that on the subject of admiralty jurisdiction—a jurisdiction exclusively and unlimitedly conferred on the United States by the Constitution—Congress, in legislating for the Territories, acts both as a General and State Government. The Supreme Court has never considered this question, in fact, or, at least, has never considered this question, in fact, or, at least, has never decided it; but if I understand the principles as nounced by that Court in a number of decisions, there can be no result to this discussion except that which the President himself has indicated."

That is to say, the Court decided that Congress does not derive its powers of admiralty jurisdiction in the Territories from the clause in the Constitution which gives it that jurisdiction in the States. but, on the contrary, derives it from the general power of legislation over the Territories given by elber portions of the Constitution.

Yet in the face of what is thus declared, Mr. Pugh says, in substance, that the Court has only decided that Congress has admiralty jurisdiction in the Territories, and intimates that it is by virtue of the clause which gives it to that body in the States! Thus entirely misunderstanding or misstating the judgment of the Court. Let us hear

Mr. Pugh repeat himself: "On the subject of admiralty jurisdiction - a jurisdiction exclusively and unlimitedly conferred on the United States by the Constitution—Congress, in legis lating for the Territories, acts both as a General and State Government."

But under what authority? Whence comes the power? Not under the clause giving admira'ty jurisdiction in the States, for Judge Marshall says this does not apply in the case. It comes, the Judge declares, from the general authority in Congress to legislate for the Territories. The decision expresses this idea in the fullest manner. Yet Mr. Pugh quotes the decision and elaborates the case to show that it does no such thing. The lawyers will be after Pugh next week in the Senate on this point. and will explode him most consumedly.

In pursuing his labored defense of Caleb's political mysteries, to be found in the Message, Mr. Pugh enlarges on another point. He says:

enlarges on another point. He says:

"I read from the opinion in the case of Pollard's
Lessee vs Hagan (3 Howard 212):

"Taking the legislative acts of the United States, and the
States of Virginia and Georgia, and their deeds of cossion to the
United States, and giving to each separately, and to all jointly, a
fair interpretation, we must come to the conclusion that it was
the intention of the parties to invest the United States with the
seminent domain of the country coded, both national and municipal, for the purposes of temporary government: and to hold it in
trust for the performance of the sipulations and conditions expressed in the deeds of cossion and the legislative acts connected

with them. To a correct understanding of the rights, powers and duties of the parties to these contracts, it is necessary to outer into a were minute examination of the rights of eminent domain, and the right to the public lands. When the United States accepted the cession of the territory, they took upon themselves the trust to hold the municipal eminent domain for the new States, and to is vest them with it, to the same extent, in all respects, that it was held by the States coding the Territories.

That is to say, Congress, in taking upon itself the "That is to say, Congress, in taking upon itself the centrel of the Territories, acts as a trustee for specified trusts; and what are they! To invest the new State, when born, with all the powers and privileges of an original State of this Union. If that be so—if that be the trust which Congress discharges toward the Ferritoria-it is a flagrent violation of its duty as trustee if it imposes during the Territorial form of Government any regulation which it has not the power to impose on a State at the time of its admission."

That is what the lawyers call a non sequitor.

The conclusion does not follow the premises. Ac cording to Pugh, a trustee upon whom authority has been conferred, has no more right to exercise it while he holds it than he has after his trusteeship has expired. If Pugh was right, we could say, Congress cannot repeal the Border-Ruffian Code of Kansas because it cannot repeal the same code in Missouri. Nay, more: By what authority is a Governor imposed on a Territory if none exists to appoint this officer when it becomes a State! The truth is, Mr. Pugh has got swamped in attempting to follow the devious track marked out by the Yankee Mephistopheles, and to uphold the devices and desires of the degenerate twins at the Court end. But we leave Mr. Pugh to the tender mercies of his brother lawyers in the Senate. I am afraid they will be crue'. He is reckoned to be in the mud, and I fear they will take a malicious pleasure in sinking him yet deeper therein.

THE NAVAL BOARD-LECOMPTE. From Our Own Correspondent

WASHINGTON, Dec. 13, 1856. The President has determined to redress such errors of the late Naval Board as his authority will admit, after sufficient evidence has been presented to establish the injustice. There are now three vacancies in the rank of captain and fourteen in that of Feutenant. The commander's grade is full. It is pretty we I ascertained that Commodore Stewart and Commodore Smith, now at the head of the Bureau of Docks and Yards, will be nominated to fill two of the vacancies in the captain's rank—the highest known to our service, except by courtesy. A person for the third vacancy is yet to be indicated. If satisfactory proof can be exhibited on behalf o itenants retired by the Board, they will be restored; if not, the vacancies will be filled from the passed midshipman's list, in the regular line of promotion. When these nominations or others involved in the same category are made, the whole subject of the action of the Naval Board will come under investigation. Then the causes which led to dismissal in each particular case, and which, thus far, have been concealed, must be diclosed The Board will necessarily endeavor to justify it self, and the corps of officers to be affected by re instatements from the retired list will take care b interpose all proper obstacles in the way of the pro-posed reparation: so that it is quite probable this Executive intervention may bring about some interesting developments of the means and motives that influenced the proceedings before the so-called Star Chamber. They will be worth reading, and THE TRIBENE, in good time, may satisfy the public craving for that enlightenment. Although the newspapers keep insisting, upon th

authority of an announcement made in The Star bere, that Lecempte has been removed, and his successor appointed, they are mistaken. The readers of this correspondence were informed two weeks ago that that event would happen, and if they will be patient a few days longer, the assurance will be confirmed officially. In the mean time enterpris-

The peculiar friends of Gov. Wise hereabout proclaim with stentorian lungs that he was offered a Cabinet seat, at Wheatland, which was declined. Others whisper that the latter circumstance was the consequence of a condition precedent, viz: that he should decline. In proof of the fact, the Governor's speech to the Electors is cited, wherein he magnanimously assured them that, come what might, he would not leave Virginia at this crisis. Beside so significant an intimation, there are other revelations all tending to the same point. These partisans do not discover that, in the effort to glorify Wise in this way, they are rather compromising both his personal digrity and public character. There surely could be no greater humiliation than to offer a man a Cabinet office with the understanding beforehand that it was not to be accepted. Perhaps the Chivalry, who could go so far as to thrust a recommendation in Mr. Buchanan's teeth, may look upon such an arrangement as an ordinary business transaction. Elsewhere a different opin-

ion is entertained. Congress is taking a respite from its immense talking labors of the present week. This is one way of carning \$3,000 a year at the public expense.

KANSAS.

LATER FROM LAWRENCE.

Correspondence of The N. Y. Tribune. LAWRENCE, K. T., Dec, 4, 1856.

Thinking that the generous donors (who are doubtless your readers) of the clothing which has arrived here from the East, would like to know semething of the manner in which it is distributed. I write you that the mosus operandi is as follows: The Central Committee here have delegated a member of their own body to visit in person all the settled portions of the Perritory, with instructions to appoint a sufficient number of local agents to investigate and certify to the specific necessities of the citizens resident in their several destricts. This arrangement renders it almost impossible for any part of the assistance of our friends to fall into Pro-Slavery hands; and, because every applicant brings with him or her a schedule or list of immediate wants, the labor of the disbursers is materially lessened. Then, in those districts which are so distant as to render it inconvenient for the settlers to come to Law-rence, the Committee have appointed receiving and disbursing agents-from time to time for warding to them such installments of clothing, warding to them such installments of clothing, flour and greceries as properly fall to their share. In this way an organized plan of action has been reached, which, if properly earried out, can leave little cause of just complaint. There has been some outside grumbling among those who expect to be remunerated for all losses sustained during the wars, but none, so far as I can learn, from the best and worthiest of our citizens. About two best and worthiest of our citizens. About two hundred boxes of goods, valued at about \$16,000, been received at Leavenworth, and before the river closes we expect to receive nearly

a bundred more.

It has been a wise and timely movement. Hundreds of brave men and devoted women, and chil-dren without a childhood, who must either have left the Territory or storced, will now remain through the Winter, with the assurance of receiv-ing, at least, enough of the actual necessities of big. I wonder whether the we-will-subdue you-orracy

ever thought of the questions it involved, when they made their boasted threats! Such an inflexibility of purpose—such a steady and determinate progress under such discouraging influences, I have never before seen. Hardly have the sounds of bitter war ded away, when beneath the magic touch of hard-fisted labor dwelling houses, stores, hotels, churches, spring up from the bowels of the earth. The Herald of Freedom, too, which they said was dead, has had a resurrection, and is now abroad with its old true ring of nobility, its old high purpores and featlessness of out-spoken Right. Then, again, eight of our citizens who are craitalists. again, eight of our citizens who are capitalists have purchased a tract of land lying near the month of the Kansas River: laid out nouth of the Kansas River; a city site (Quindaro); usade arrangements for the speedy crection of a hotel, newspaper and printing effices, saw-mills, &c.; the introduction of steam-ferringe between it and Kansas City in Missouri; the establishment of a line of Quindaro and Lawrence stages, which are to run over a road to be thoroughly bridged and otherwise improvedall of which is to be accomplished by the 1st of March, 1857. They have made a glorious start; our citizens of lesser means have purchased lots. seems highly interests or shares. Everybody pleased—partly because the project will go far to kill that foster-hell of Border-Ruffianism, Kansas City; and partly, because it seems to be an invest-ment which will secure to them—certainly a com-

etence—perhaps (to some) a fortune.

Talk about crushing out the Yankees: buoyant as God's free air, they are about as easily "sub-

Quite an interesting ceremony took place in Lawrence to-rights the presentation, by Mrs. Gates, on the part of the Ladies of the Oriad Institution. near Worcester, Mass, of a water-proof overcoat to each member of the "Stubbs" Company of Kan-sas Volunteers. In addition to this, a full suit of clothing, with a pair of buckskin gloves, was given National Kansas Committee, in behalf of several anonymous citizens of Ohio and Illinois. Speeches were made by Mrs. Gates, Messrs. Hyatt, Arny, and others, commendatory of the conduct and char octer of the "Stubbs," and a general "good time was indulged in.

The Free-State militia under Capt. Walker have been disbanded, by order of Gov. Geary. No pro-vision has, however, been made for the settlement visien has, however, been made for the of their wages-\$12 per month; and, except that Mr. Hyatt has made arrangements to locate them all upon good claims, and furnish them with means of support through the Winter, they must have

experienced much of terrible distress.

This wanten failure to keep a solemn promise may be a legitimate part of his Excellency's "Governorship;" I cannot see how he will reconcile it with his manhood. Mr. Hyatt, during his two weeks' residence

mong us, has wrought much of solid good; and I think I am not mistaken in saying that a good deal of valuable statistical information will be given to the people of the States on his return.

Or ly give us true peace and next Spring will witness such a mighty influx of Free-State emigration as shall make the pallor ga'her upen the cheeks of the Southern despots and Northern doughfaces as it gathered upon the cheek of Bel-hazzar, when he saw the handwriting of his doom blazing upon

SUFFERING IN KANSAS.

RICHARD REALF

We make the following extracts from a private letter just received from a trustworthy friend now travelirg in Kansas, in order that the friends of Freedom who give for the relief of suffering in that region may be sure that their bounty is really needed. A thousand similar cases will exist, after all that can be shall have been done for the relief of the heroic band who are holding that lovely land for the Free Labor of future generations:

well be patient a few days longer, the assurance will be confirmed officially. In the mean time enterprising newsmongers need not get ahead of the fact, as they did in Crampton's case, for the decapitation will come in its order, in the first, as in the last instance, and hardly be hastened by small speculations. Since this matter was first brought seriously to the attention of the President, and under circumstances that rendered the result nearly certain, it was understood, when the removal should be made, the vacancy should be filled from Kentucky. Hence the disinterested patriots of that State, under this suggestion, have filed their claims and urged their nerits with the emphasis of men who would serve their country at the rate of several thousand dollars a year. They can discover imperfections in the conduct of the immaculate Judge, whom it is now convenient and profitable to supplant. The same men who applauded his Southern devotion not long ago, are now confident that his excessive zeal damaged their cause, and that his decisions were in contempt of the law and the prophets. How the prospect of a good office does charpen the perception of men, even when living south of Mason and Dixon's.

This afternoon I Visited, among others, on the outskirts of Lawrence, Kansas, Nov. 26, 1856.

This affernoon I Visited, among others, on the outskirts of Lawrence, a family. Approaching it from the open prairie, I found a little "shake-house" the ope LAWRENCE, Kansas, Nov. 26, 1856. scanty, thin covering on her shoulders which she called a shawl. Pointing to a pair of buffalo overshoes on my feet. I said, would not such a pair keep your feet warm? "Oh! ain't that delightful," said the poor thing with unsflected pleasure and surprise, "I guess they would; how nice they would be!" Well, my dear girl, raid I, your house evidently needs improving in some way, end you both require more clothing; and now parcon me for seeming to be inquisitive, but I shou'd like to know what provisions you have in the house. "We have," said she, "a little flour remaining of the haif sack which father got from the Committee; but very little sugar, and let me see—well, this is pretty much all! Yes," she added, "we have some pork in the house; father killed one of the pigs and I salted it. We have two remaining, and our cow gives us milk, not very much now, for we have had to keep her tied up all the season to prevent her getting at our corn and the neighbous too. But our corn, after all, was mostly destroyed by other people's cattle getting in, and now we have hardly enough to last over the Winter for the cow and pigs. For ourselves we have none. Father hasn't been able to get a very good fence around our claim, and that is the reason the cattle got in." But you can't stay in this listle hut this Winter? I said to them. "I don't know how we shall make it warm," replied the elder of the girls. "I told father the other night, when it stormed and blew so, that I could not bear it sny longer and would rather go East or move out somewhere. But if we do blew so, that I could not bear it any longer and would rather go East or move out somewhere. But if we do somebody will jump our claim, and it is too valuable to loce after we have suffered so much to keep it." "Yes," said the younger, speaking with emphasis, while her fine, large eyes sparkled with patriotism, "yes, we must stay, we cannot leave, for it is a Pro-Siavery man who wants to jump it, and we don't mean to jet him!"

I looked at these two beautiful and intelligent girls, I looked at these two beautiful and intelligent girls, still clad in the habiliments of Summer; I looked just above, and scarcely above, my head at a few shaky beards or shingles, laid across some slender poles, where at night the poer old father crept up, with his only son, a little, half-clad lad of thirteen, sto shiver through the dark and dreary hours; I looked at the clean hay bed in the corner, with scarcely half covering rough to keep these poor girls warm on any ordinary night of Winter, and in any ordinary house; I looked at the scartly cupboard in the corner, a few rough rhelves and no doors, a few clean plates with nothing on; I looked at the earth-floor, at the cheerless stove, and up and sill around at crack and acevice and crany. on: I looked at the earth-floor, at the cheerless stove, and up and all around at crack and device and crany, through which poured even now, in still wind-time, chilling prophecies of dreary, whistling, benumbing, wintry blasts; and then I looked once more into the open, artiess countenances of these two New England gits and heard them say "We must stay here, because if we go, a Pro-Slavery man will get the ground;" and as I beheld their escribes for Freedom, their quiet devotion, away from the eye of the world, to a great principle—a devotion unalloyed by ambition, a devotion unstimulated by fame—I looked inwardly and outwardly at myself, and blushed to think of what I had considered my sacrifices.

MISCELLANEOUS ITEMS.

We are permitted by a friend to make some extracts from private letters which he has received from Kansas:

KANSAS THE COUNTRY FOR FARMERS. It would be premature for me to pass an opinion on

Kensas, having just arrived, but, if the sample I have had presented by a ride from Leavenworth to Lawrence be a fair index, it must be the Eden of the world. It is not surprising that freemen fight for such a home. If the farmers of the North could get a glimpse of these ich, rolling prairies, these levely little hills on all sides, rising terrace behind terrace against the clear arch of heaven, the beautiful landscapes that succesively appear, and the rich, dark mold, prophetic of more than a hundred-fold reward for labor, a human tide

would next Summer flow all over this region, as the leracities of old inundated the Promised Land.
PORTRAIT OF GOV. GEARY.

I saw Geary this morning, and am quite charmed with him. He is the best-taiking man I have met, and cannot but thisk him sincere. At all events, it seems to me ungenerous to condemn him in advance. "Give the devil his due." If the Governor is a "devil," he is quite an elegant gentleman. I don't know why I thought him a gray-headed old man. Perhaps his name conveys that idea. But, to my surprise, I found him quite an Apollo-six feet high at least, faultlessly formed, a very handsome face, jet black eyes, straight hair, fine whiskers and mustache-in short, just the sert of man to win the love of the ladies. No wonder the Lawrence girls have invited him to a Thanksgiving dinner next Thursday. My dear friend, depend upon it Geary is doing well. He has not, it is true, done all we can wish; but he has done a deal more than the other side have wished. I can assure you.

VALUE OF MONEY IN KANSAS.

Capitalists at the North who are loaning money at even per cent should understand that thirty-three per cent can be had here all the time for many years to come, on security perfectly safe, and not fancy or inflated. I should be glad to put out a million and take my pay from the overplus beyond twenty per cent.

PUBLIC MEETINGS.

BOARD OF COUNCILMEN.

BOARD OF COUNCILMEN.

MONDAY, Dec. 15.—The President, BENJAMIS F.

PINCKNEY in the chair The Board proceeded to business, after the usual preliminaries.

A Remonstrance was received against the conduct of the Sixth and Eighth avenue Raliford Companies, in reference to the condition of Versy street. Referred.

Resolutions—To furnish each of the Assessors with a copy of the City Directory. Adopted.

To allow additional time to the Thirty-fourth street Ferry Company to Hunter's Point) to creet their buildings and boats. Laid over.

To relay a statement in first of the charge in Organization and

sid over. To place gas lamps in front of the church in One-hundred and

To extend Worn (Anthony) street in a direct line to Chatham (care. Referred. Reports of Committees—Streets—Majority in favor.

square. Referred.

Reports of Committees—Streets—Majority in favor, Minonits against, the proposed extension of Beckman street through the Paik. Both referred to Committee of the Whole.

Fore Department—In favor of refunding to Engine Company No. 30 money expended for room hire. Adopted.

Knowle—In favor of paving Seventy minth street between Third avenue and Fast Rivet.

Communications—A communication was received from the Controller in response to a resolution of the Board, in which it is stated that the amounts paid for street cleaning, since 1852, were as follows: 1952, \$259, 295, 1853, \$259, 255, 421, 1958, \$459, 755, 36. Total. \$1,355,681,64. The sum reseived for the sale of street manure since 1852 is \$67,346,94. The smount expended for removing at ow and the under the Commissioner to Streets and Lamps was \$19,025,98. Amount paid to Baird for same service, \$2,385.

Vetors were reviewed from the Mayor sapinat the resolution subording the Commissioner of Streets and Lamps to advertise for proposals to clean the streets the ensuing year, and against the resolution to confirm the contract for building Tompkins Market. They are as follows:

Mayor's Operica, New-York, Dec. 15, 1856.

To the Homerable the Heave of Commissioner.

Gentleman:

Mayor's Operica, New-York, Dec. 15, 1856.

To the Homerable the Heave of Commissioner of Streets and Lamps points to authorize the Commissioner.

The specifications arent to a confirm to this purpose to be made according to certain specifications annexed thereto. Though desirous that the streets may be cleaned, and all work may be close for the Corporation in the mode pointed out by the Charter, I cannot assent to a confirm to this purpose to be made according to these specifications. It is to me apparent that a centract hased upon such conditions would fall to give the people clean streets, however successful in drawing money in the treasury.

The appelies and the streets and conditions would fall to give the people clean streets, however successful in drawing money in the

made according to these specifications. If a to me apparent that a cut trust based upon such conditions would fail to give the people clean streets, however successful in drawing money irem the treasury.

The specifications briefly staired propose to divide the city into two districts, and to make contracts for each to clean the street as for five years. The Contractor is required to remove from "the surface of the streets all dirt, manure, ashes, garbage, or all on the blab, &c.," but is not called upon to remove the snow and ice, which the apprisence of last Winter has shown may be the most serious unisance we may have. Indeed, it may be that for three months of the year." The surface of the street's may be entirely covered with snow and ice, and hence under the contract the Contractor would not be composed to do any work though, of course, drawing his pay the while. The amount drawn by Mr. Ebling for removing snow and ice from the streets last Winter anothered to £29,225 ft, and the same sum would no donby be required again under similar circumstances. The serious injury to the business of the merchants, as well as to the property of the carmen and others who procure their involuted by borses and vehicles, demands the iomediate removal of these obstructions from the streets in Winter, and no contract should be made which will not contain the most stringent provisions to this effect.

These specifications are also objectionable in provising that the contractor shall remove the dirt, filth, &c., from the markets and vicinity every Naraday morning. I am confident that the public sentiment of New York would not tolorate removal upon such a day. If the sacred character of the Sabbath and existing ordinances which recompile with a time et apart for rest and exemption from waitely business are not enough to deter the Corporation iron public work, it appears to use that the sameyance which must be created by the removal of fifth, &c., droin the dirt are not sufficiently frequent. It proposes to

places of wership, should of itself prevent the adoption of such a practice.

Again, the periods fixed for sweeping the streets and the removal of the dirt are not sufficiently frequent. It proposes to clean the First, Second, Third, Fourth, Fifth and Sixth Wards but twice a week, when it is well ascertained that these Wards cannot be kept clean even if swept and cleaned every day. The collections of dirt, asrbage, &c. in the streets of these Wards, if left for three days during the Summer months, would be fathed to the lasth of the residents. But, admitting that the provisions of these specifications are sufficiently stringent to give us clean streets, and without these objections we have no custant tee that the conditions the masters will be enforced. The penalties for non-performance are entirely imadequate to compel ompliance.

shites for non-performance are control macapase.

Section 9 declares "that if any contractor shall full to perform "any duty required by these specifications for the space of 24 hours after be shall be notified thereof by notice in writing loft at his residence or place of business by the Superintendent of "Streets, he shall be subject to a fine of \$5," or in other words, stating the case as it would no doubt appear in practice, after the citizens had waited day after lay, or it may have been week after week for the appearance of the street-sweeper, until their dweldings had become almost numbaltable, they had rushed in despair to the Superintendent of Streets, and no indeed that officer of the dereintion of the contractor; he (the Superintendent) must in person wait, upon the contractor and sever

cisaned according to agreement; and if the contractor them omitted to perform the duty required of him for the space of twenty-tent hours, he would be subject to a fine of \$5, provides he could not convince the Superite doctors that the street was clean, which he would be very apt to do if he (the Superintendent) should he provided he could not convince the Superintendent that the street was clean, which he would be very apt to do if he (the Superintendent) should happen to be interested in the contract. In this supposition no impeachment of the present Superintendent of Streets is intended, as that gentleman is, in my opinion, a faithful and correct offerer; but his successors may be of a different classeter. A further omission to clean for another twenty, four hours after this notice is subject to a penalty of \$25; and, if this is not successful, as a last resort the Commissioner of Streets and Lamps is directed to report the case to the Common Council, where, under the most speedy process of legislating on like subjects where contractors are parties, the result would depend very much upon peculiar circumstances.

A close examination of other sections displays other defects, but baving stated those which struck me as most important, I omit a reject need to them.

It is evident to me that contracts, based upon these conditions, would lead to great leas to the treasury without any adequate return. I fear that the people who have been so enormously stared for this service would still have cause of complaint—that instead of that great desideratum, clean streets, for which they have been so long looking, they would continue to be afflicted with dirty streets—the worst of all New York's ewis, and for which we have been for some time so much distinguished.

Last year I made as unavarcessful edior to cause the Commissioner of Streets and Lamps to make a contract with the proprieters of the streets weeping machines, won had, by a fair competion, as the lowest bidders, obtained the award. These septileus en, who had fu

lie hame was a lorgery, commuted, no doubt, by some person largely interested. Mr. Tucker is since decessed. This hid was of course rejected, but no proceedings appear to have been instituted to discover and punish the forger. The next lowest hidder was John H. Thompson, but in this also was a grow trand attempted upon the Corporation. The names of the suretises ofered for the fulfillment of the contract were, it was alleged, forged, and not written by the parties; and this bid, which is \$3.071 less than Mr. limits, to whom it is now proposed to award the contract, was also rejected. No exposure was made of this attempted swindle, but, like the proceedings which appear to have governed this matter, it was kept from the public event of the interest of the sureties had not signed, according to law. The next bidder was Theodote Hunt, to whom it is now proposed to give the contract. I have had great cifficuity in procuring the original bids by which to reach these facts. These appear to have been purposely kept out of the way under circumstances, it say the least, very suspicious. The Chairman of the Committee, Mr. Tecker, in the Board of Alderman, which reported favorably on this reso-stien, admitted to me be had never seen them, and, as

The Beard then went into a Committee of the Whole, in which various bill were considered the Whole.

Therefore, I return the resolution proposing to continue the Cepture of the building of Tompkins Market to Tassdore Huar, and recommend that the work be resolvertised for new estimates.

The Beard then went into a Committee of the Whole, in which various bills were considered and action taken thereon. The Board then adjourned.

BOARD OF ALDERMEN. MONDAY, Dec. 15.-Ald. BARKER, President, in the

Chair.
Petitions Referred-Of Jacob Harsen for the exten-Petrona Reference of shadow reason to the calculation of Worth street to Chatham square in a right line, and the widening of said street twenty feet on the south side from Breadway; of the same against the widening of Cross street to Mott to Chatham square, and the widening of Cross street to Mott afreet. Of P. O'Brien for six months more time to complete street, of P. O'Brien for six months more time to complete lis contract for regulating Fiftleth street between Sixth and

Communications-From the Mayor and Street Com-Communications—From the Mayor and Street Communications, as Central Park Communications, reporting progress in the work; the liabilities thus far incurred amount to \$20, 505 67, ordered to be printed. From the Corporation Attorney, being an account of fines collected by him (\$40 50) last month for violation of Corporation ordinances; ordered on file.

The Burcau of Arrears—The Committee on Ordinances reported in favor of an ordinance in relation to the Burcau of Arrears, as recommended by the Controller, which was adopted.

The Exterior Line,—Ald. Brown moved that this subject be made the special order for Thursday uext.

subject be made the special order for Thursday next, The Board adjourned to Thursday.

BOARD OF SUPERVISORS.

BOARD OF SUPERVISORS.

MONDAY, Dec. 15.— Supervisor ELY Chairman.

Petitions.— Of H. H. Howard, Receiver of Taxes, indorsing a petition of John P. Howe, Deputy Receiver, for an additional permanent clerk in his branch of department. Referred to Committee on County Offices.

Bulls Pand.— Of Jacob L. Bogart, \$176 for stones, pipes, &c. about the City Hall. Of Officer Philip Farley, \$6 expenses, incurred in arresting George Heises for bargiary. Of D. W. Allen, \$500 for services in the office of Tax Com-

Increase of Salaries. - Petitions were received from the effices of the Superior and Supreme Courts for \$100 increase of pay per annum. Referred to the Committee on County Offices. On motion, the Board adjourned to Thursday

CRUELTIES AT CAYENNE.

We, the undersigned, political refugees from the Devil's Island, at present in New-York, call the attention of generous hearts to the unhappy lot of two Italians, Galy and Rossini, political prisoners, who for three years have suffered the most frightful tortures in

French Guiana. Galy and Ressini were transported to Guiana on the Galy and Ressite were transported to Guiana on the 21st of April, 1853, in the barge L'Allier. During the passage they were separated from the other political convicts, and hidden from them. On their arrival at Guiana they were consigned to the dungeons of the Diamant, a fort situated a few miles from Cayenne, in a very unwholesome place, and loaded with irons. They were afterward transferred to the cells of the Castor, an old hulk divided into cells, where they were separately subjected to the most rigorous transment. They were afterward transferred to the cells of the Castor, an old hulk divided into cells, where they were separately subjected to the meet rigorous treatment. Last February, on the arrival of the last convicts at Guiana, the jailer of the Castor was humane enough to allow Rossful to come out of his poisonous dungeon to get a little fresh air on deck. M. De la Richerie, director of the penitentiary establishment at Cayenne, happened to arrive just then: perceiving the privilege which had been allowed to the prisoner, he grew livid with rage, abused the captive, and pronounced these words, worthy of a barbarian: "Pet this beast in his "dungeon; he is condemned to die there." So the bolts coeed on the unfortunate Rossioi.

They are now in the cells of the Chateau Rouge, so called by its patriot victims. This prison is on one of the emintences of L'Isle Royale, and its many cells and dungeons sepulcher some of the best hearts of France. It is there, two thousand leagues away from Freach soil, that the infamous stake is erected for the crucifixion of Republicans, and scenes pass which are revolting to humanity. The physical and moral tortures which they have suffered for three years has reduced them to living skeletons. When they are sent to the hospital, they are chained to their beds; they are rever allowed to take exercise, and when they get a little better it is only to be sent back to their dangeons.

The Executive has always endeavored to conceal their position, and has kept them in solitary confinement from the beginning; in spite of the remonstrances of the other political convicts, our two brothers are cruelly persecuted, and their cies are stiried by locks and bolts.

In the name of these two unfortunite Italians, we appeal to all feeling hearts to unite with us in protesting

and bolfs.

In the name of these two unfortunite Italians, we appeal to all feeling hearts to unite with us in professing against such depths of iniquity.

JEAN BIJOUX.

GUSTAVE DIME.

BOURGEUNEY.

GUERIN.

CHABANNE.

CHAUVIN.

THE LOTTERY-TICKET FORGERIES.

FURTHER INVESTIGATION OF THE

The case of Henry W. Hamilton and William K. Sadler, charged with forging lottery-tickets and circu-lating the same throughout the country, was continued vesterday afternoon before Justice Osborne.

Henry W. Wynkoop, bookkeeper of his brother, M. B. Wynkoop, printer, at No. 12 Ann street, testified that the circulars, schemes and lists of tickets which were found in Hamilton's room were printed at his brother's place of business; the witness has severa times met Ham Iton at the Broadway Post-Office, and has seen Sadler at his brother's place of business when he called to pay his printing bills.

Edward Hoffmire, bookkeeper of John F. Trow. printer, at No. 377 Broadway, also testified that the acused had had printing done at Mr. Trow's establishment.

Joseph A. Bonnell, of the firm of Bramhall, Bonnel k Richmond, at No. 186 Fulton street, testified that between two and three months ago the firm of Davison, Crum & Bonnell received a letter from Mr. Cyrus Cummings of Michigan, inclosing a lottery ticket and a circular. The ticket was alleged to have drawn a prize of \$3,000, according to the official list of the drawing, which was likewise inclosed, the lottery being, as deponent believes, the Delaware Conolidated Lottery. The witness took the ticket to Gregory & Maury of Jersey City, the authorized agents of the Delaware lotteries, and was there in formed that it was a fraud, and that there was no such lottery as designated by the ticket. The witness then spent some time endeavoring to find Manchester & Co. he alleged agents of said lottery, but did not succeed

David S. Nevins, Clerk in the Broadway Post-Office, testifed that Hamilton, during the last six weeks, has received a large number of letters through that office, and that the wimess at the request of Hamilton, has frequently got letters for him from the General Post-Office. We here give a copy of the fortunate \$3,000 prize

DELAWARE CONSOLIDATED LOTTERY. No 37,109. CAPITAL.
No 37,109. S304.500.
The bearer of this ticket shall be entitled to whate The bearer of this ticket shall be entitled to whatever P. lize may be drawn by its number, in Scheme No. 3, Class 12 Letter B, of the Consolidated Delaware State Letterles (Havans plan), to be drawn in Wilmington, Del., Sept. 1, 1856.

GREGORY & MAURY, Managers.

We here give a copy of one of the circulars which were so widely scattered over the West:

HO: FOR HAVANA!!!
PLEASE READ THIS CIRCULAR VERY CAREFULLY. PLEASE READ THIS CRECULAR YERY CAREFULLY.

The Official Drawings of Scheme No. 3 (new series) of the Having Lettery has this day been received; and by comparing the tickets sold with them, I find my previous predictions it provides and the tickets sold with them, I find my previous predictions it provides a constant of their success in Scheme No. 3.

By looking over the drawings, lake find that there are several tickets that have drawn good prizes, but cannot be entitled to them from the fact that they were out, and unsertied for, no return having been made upon them up to the day of drawing.

The fallacy of persons having the opportunity to purchase tickets in these schemes, and not availing themselves of it, is very vividly illustrated by this fact. Although a momber of Prizes were sold in Scheme No. 3, and quite a number of tickets remaining out and unsettled for lucky, still by referring to the schemes and making examination of their relative merits, it will be found that there are three times as many prizes in Scheme No. 4 as there were in Scheme No. 3 and, also, out; half as many tickets, which is equal to about six times as many chances to draw a prize in Scheme No. 3. In Scheme No. 4, the packages of tickets I send to patrons are of my own selection, and where the whole package is sold I would almost positively guarantee a good prize; and as some assurance of my sincertly in this assertion, I will make this proposition. That where the whole package is sold I would almost positively guarantee a good prize; and as some assurance of my sincertly in this assertion, I will make this proposition. That where the whole package is sold I would almost positively guarantee a good prize; and as some assurance of my sincertly in this assertion, I will make this proposition. That where the whole package is sold I would almost positively guarantee a good prize; and as some assurance of my sincertly in this assertion. I will have this proposition. And the processes the holders of the tickets a present of the same amoun

Cheer, cheer, maids and matrons all! fain
Cry Bosanna:
Ring the chorus, ancient sire, loving swain,
Hall Havana.
But remember you cannot join in this jubilant chorus withou

Gentlemen receiving tickets in Scheme No. 4 will please age in their sale, but declining to do so after making the selection will please oblise by handing those remaining to selection will please oblise by handing those remaining to selection will present who will.

responsible person who will.

Frizes will be paid immediately upon the reception of the official drawings at this office, by the deduction of two persons of the official drawings at this office, by the deduction of two persons or paid, or sent to order, in full, thirty days after drawing.

Returns and orders for tickets, can be made us to the this office, and the sent of the comparison o

Address follows:

H. W. HAMILTON,
Care of B. Lockwood, Postmarter,
Broadway Post Office, New York
New York, Nov. 17, 1856.

The case will be resumed to-day.

FROM PORT AU PRINCE .- By the arrival of the bark Clara Windsor, Capt. Button, we have advices from Port-au-Prince to the 2d inst. Business generally was dull for all kinds of American produce. Coffee and logwood abundant. Health of the place very bad.

FIRES.

FIRE IN WEST SEVENTEENTH STREET. At 51 o clock yesterday morning a fire broke out; the spartments of Thomas Cancon, No. 218 West Seventeenth street. When Mr. C. awoke he fould his bed on fire and his wife and children nearly sufficated with smoke. The fire was put out with a few pails of water. Damage about \$30. No insurance. FIRE IN TWENTY-NINTH STREET.

About noon yesterday a fire broke out in Thomas Fay's paper-hanging factory, No. 152 West Twenty-ninth street, but it was soon extinguished. The danage was very slight.

FIRE IN SULLIVAS STREET. At ten minutes before 6 o'clock last night a fine co-

curred in the bakery of A. Van Elm No. 51 Sallivan street. Damage about \$30. The fire originated from a defect in the oven. No insurance. FIRE FOOT OF BROAD STREET.

Last night about 8 o'clock a fire was discovered as board of the schooner Ik Marvel, lying at Pier No. 4. E. R., foot of Broad street. Damage between \$100 and \$150. The fire was occasioned by the explosion of a carboy of vitrol in the hold. FALSE ALARMS

The bells rang false alarms for the Sixth and Third Districts last night.

CITY ITEMS.

SIXTH WARD REPUBLICANS.—The Republicans of the Sixth Ward met last evening at No. 226 Grad street. Mr. John Fitch was elected President of the Association, and he was instructed to call a meeting for the 25th inst., to elect Delegates to the Central

SEVENTEENTH WARD REPUBLICANS .- The Republican Association of the Seventeenth Ward met at their room, No. 273 Bowery, last evening. Mr. Thos. B. Stillman presiding. Arrangements were made for holding the primary elections this day week, at the some place, when officers for the cusuing your and delegates to the General committee will be chosen.

EIGHTEENTH WARD REPUBLICAN ASSOCIATION,-The Republicans of the Eighteenth Ward met last evening at the hall corner of Third avenue and Twentieth street, to elect officers for the ensuing year, with the fellowing result: President, Homer Franklin; Vice-Presidents, Charles Addoms, Henry Brewster and S. V. Bagley; Recording Secretary, J. M. Ackley; Corresponding Secretary, John A. Foster: Treasurer, Wm. K. Strong. The meeting was adjourned to Tuesday evening next, at which time an Executive Committee will be chosen.

TWENTY-FIRST WARD REPUBLICAN ASSOCIATION. -A meeting of the Republican Association of the Twenty-first Ward was held last evening at their ooms No. 391 Fourth avenue, the President, Wm. H. Woodman, in the chair. The Executive Committee submitted a report of the doings of the Association during the recent Presidential canvass. They express satisfaction at the success of the party that has been in existence less than two years, and arge continued exertion in organizing and promoting the cause of Republicanism. The report was adopted. The committee appointed for the purpose were instructed to report amendments to the constitution at the next meeting.

NEW-YORK HARMONIC SOCIETY. - The members of this favorite Society are making active preparations for their annual performance of the Oratorio siah, on Christmas night. We have no doubt the Harmonics will do their part efficiently in this appropriate performance, and our music loving population should see that they are not losers by their enthusiasm.

The Grand Republican Ball, which is to be given on Thursday night next, at the Academy of Music, will, no doubt, be a splendid affair. Those who expert to attend should secure their tickets early. They are advertised, we believe, in another column.

LECTURE ON MUSIC -R. Storrs Willis, esq., editor of The Musical World, lectured upon "Music" & Educational Hall, Grand street, last Saturday evening. The Hall was crowded with an appreciative auditory This is the first of a series of lectures to be delivered by the same gentleman in the same place for the benfit of the teachers and friends of the Public Schools. The next lecture of the series comes off on Saturday evening, the 20th inst.

NEW-ENGLAND HUMOR .- Mr. Arthur Gilman de livered the closing lecture of the first course before the Mercantile Library Association last evening at Clinton Hall. The lecturer chose for his topic the Characteristics of New-England Humor," which be treated in a manner highly satisfactory to his numer ous audience. His lecture fully vindicated the claims of New-Englanders to the possession of a dry, quaint, native humor, the like of which, in its quiet coolness and broad exaggeration, is found among no other people. Although some of the illustrations were rather ancient, a good many were quite new to most of the assemblage, and, as rendered by the lectars, every one "brought down the house" with repests peals of hearty laughter. He started by assuring hearers that his object was not to instruct so much to amuse, and we are bound in justice to say that be met with the most flattering success.

The Graduates of Union College in our city will meet President Norr this svening at the Chapel of the University. It is proposed at this meeting to insugarate a system of friendly and informal remains of We trust the meeting will Faculty and Graduates. be generally attended.

FIREMEN'S FIRETION -- An election for Assistant Engireer for the Harlem Fire District was held in the engine-houses throughout the city last evening. To-night the returns will be canvassed at the office of the Chief-Engineer.

LECTURE BY THE REV. WM. H. MILBURS.-The regular weekly lecture before the Young Mes of Christian Association was delivered last evening by the Rev. William H. Milburn, before a large and intelligent audience assembled in Hope Chapel. The theme of the lecturer was the genius of Alexander Hamilton. The field of the discourse embraced period commercing with Hamilton's maiden speech in the vacant ground which now forms the Park, at meeting called at the dawn of the American Revolutien, and ending with his death in 1804 in his famous duel with Aaron Burr. His statesmanship, his military experience, his patriotism, and the confidence which